

MARGOLIS EDELSTEIN

Bruce Barrett, Esquire – NJ Attorney Id. 030581982

100 Century Parkway, Suite 200

P. O. Box 5084

Mt. Laurel, New Jersey 08054

856-727-6015

[bbarrett@margolisedelstein.com](mailto:bbarrett@margolisedelstein.com)

Attorney for Defendant(s), HL Motor Group, Inc. and Mikhail Kari

File No.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ALDANE LEWIS,

Plaintiffs,

V.

HL MOTOR GROUP, INC., et al.,

Defendants.

## **NOTICE OF REMOVAL**

Defendants, HL Motor Group, Inc. (“Highlight”) and Mikhail Kari (“Mr. Kari”), by their attorneys Margolis Edelstein, pursuant to 28 U.S.C. §§ 1332(a) and 1441(b), hereby removes this action from the Superior Court of New Jersey, Middlesex County, to the United States District Court for the District of New Jersey. As grounds for this removal, defendants state as follows:

1. On June 10, 2020, plaintiff filed a Complaint in the Superior Court of New Jersey, Middlesex County, entitled *Aldane Lewis v. Highlight Motor Group, Inc., et al.* (See Exhibit 1).

2. Highlight was served on November 28, 2020. (See Exhibit 2).

3. Plaintiff generally averred that he suffered severe personal injuries resulting from a November 6, 2019 motor vehicle collision in Woodbridge Township, New Jersey with a vehicle operated by Mr. Kari who was employed by Highlight. (See Exhibit 1 at ¶¶3-4).

4. Plaintiff further averred that “As a direct and proximate result of the negligence of defendants . . . plaintiff sustained serious personal injuries both temporary and permanent in nature, he suffered and will suffer past present and future pain and suffering, he was and will be obliged to spend money on doctor bills, hospital bills, care and medicine in an effort to cure and alleviate his injuries, and he was and will be unable to pursue the usual course of his occupation and duties, he lost wages and will continue to lose wages in the future, his vehicle sustained substantial property damage and diminution in value all due to the negligence of the defendants.” (*Id.* at ¶5).

5. Plaintiff is a citizen of New Jersey.

6. Mr. Kari is a citizen of Ontario, Canada. (See Exhibit 3 at ¶9).

7. Highlight is a citizen of Ontario, Canada because it is a corporation located, organized and existing under the laws of and with a principal place of business in Ontario, Canada. (*Id.* at ¶¶1-5).

8. The vehicle operated by Mr. Kari at the time of the November 6, 2019 motor vehicle accident described in the Plaintiff's Complaint, was owned by VFS Canada, Inc. ("VFS") and leased by that company to Highlight. (*Id.* at ¶10).

9. Here, there is complete diversity between plaintiff and defendants and the amount in controversy exceeds \$75,000.00 as required by 28 U.S.C. § 1441(b).

10. By reason of the foregoing, this Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a). There is complete diversity of citizenship, and the amount in controversy exceeds \$75,000.00, exclusive of costs. Removal of the state court action to this Court is therefore appropriate under 28 U.S.C. § 1441(b).

11. Removal of this action is timely under 28 U.S.C. § 1446(b) because this Notice of Removal was filed within thirty days after receipt by the defendants, through service or otherwise, of a copy of the pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable. Moreover, this Notice of Removal was filed within one year after commencement of the action.

12. Pursuant to 28 U.S.C. § 1446(d), contemporaneous with this filing, defendants are serving a copy of this Notice of Removal upon plaintiff and filing a copy with the Clerk of the Superior Court of New Jersey, Middlesex County.

13. Defendants reserve the right to supplement this Notice of Removal and/or to present additional arguments in support of their entitlement to removal.

14. Removal is hereby effected without waiver of any challenges that defendants may have to personal jurisdiction, venue or service of process. Further, no admission of fact, law or liability is intended by this Notice of Removal, and all defenses, affirmative defenses and motions are hereby reserved.

WHEREFORE, Defendants, HL Motor Group, Inc. and Mikhail Kari, hereby give notice of the removal of the above-referenced action now pending in the Superior Court of New Jersey, Middlesex County, to the United States District Court for the District of New Jersey.

Respectfully submitted,

MARGOLIS EDELSTEIN

By: /s/ Bruce Barrett

Bruce E. Barrett, Esquire  
Attorney for Defendant

Date: December 26, 2020

ARU 75027